

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICHAEL HOOPER,

Plaintiff,

v.

CIV No. 14-449 JCH/GBW

SOCIAL SECURITY ADMINISTRATION

*Carolyn W. Colvin, Acting Commissioner of the
Social Security Administration,*

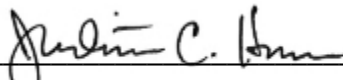
Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**

This matter comes before the Court on Plaintiff's Motion and Memorandum to Reverse or Remand the Social Security Administration's (SSA) decision to deny Plaintiff disability insurance benefits. *Docs. 23, 24*. Plaintiff argued that the ALJ erred at step five of the sequential analysis by relying on the number of jobs attributable to three broad groups of occupations rather than the numbers attributable to the specific DOT occupational titles identified by the VE. *Doc. 24* at 13. Defendant SSA asserted that step five is satisfied where the vocational expert provides three concrete examples of specific jobs, identified by their DOT codes, and testifies about the number of jobs available in the broad categories within which those jobs fall. *Doc. 31* at 5-7.

The Magistrate Judge filed a Proposed Findings and Recommended Disposition (PFRD) on March 2, 2016, recommending that the Court grant Plaintiff's motion and remand this action to the Commissioner for further proceedings. *Doc. 35*. Defendant has filed no objections to the PFRD, and, upon review of the record, I concur with the Magistrate Judge's findings and recommendations.

Wherefore, IT IS HEREBY ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition (*doc. 35*) is ADOPTED. Plaintiff's Motion to Remand (*doc. 23*) is GRANTED and Plaintiff's action is REMANDED to the Commissioner for further proceedings consistent with this opinion.



JUDITH C. HERRERA
UNITED STATES DISTRICT JUDGE